

### **REMARKS**

Claims 1-14 are pending in the present application. Claims 1, 3, 6-10 and 12 were objected to. Claim 8 was rejected under 35 U.S.C. §102(b) as being anticipated by Engelhardt (US 2002/0003204). Applicants gratefully acknowledge that claims 1-7 and 9-14 have been allowed.

Claims 1, 3, 8, 9 and 12 have been amended. Claims 6 and 7 have been canceled. Reconsideration of the application is respectfully requested.

#### **Objections to the claims 1, 3, 6-10 and 12**

Claims 1, 3, 8, 9 and 12 were objected for lack of antecedent basis. Claims 1, 8 and 9 have now been amended to provide proper antecedent basis for "the output light" and "the measuring element." Claims 3 and 12 have now been amended to provide proper antecedent basis for "the different wavelength regions."

Claims 6, 7, 9 and 10 were objected to under 37 C.F.R. §1.75 due to claims 6 and 7 being substantial duplicates of claims 9 and 10, respectively. Claims 6 and 7 have now been canceled.

Withdrawal of the objections to claims 1, 3, 6-10 and 12 is respectfully requested.

#### **Rejection to claim 8 under 35 U.S.C. §102(b)**

Claim 8 was rejected under 35 U.S.C. §102(b) as being anticipated by Engelhardt (US 2002/0003204). The Examiner has indicated that the recitation to "the beam path of the output light from which the illuminating light has been split out" does not clearly indicate which beam path the monitoring detector is arranged in. See Office Action mailed January 9, 2006 at page 4, lines 7-14.

Claim 8 has now been amended to clarify that output light of at least one light source is split into at least "illuminating light" and "monitoring light," the monitoring detector being arranged in a beam path of the monitoring light. Support for the amendment may be found,

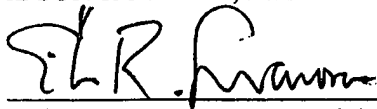
for example, at page 8, lines 2-8, of the present specification and Fig. 1. It is respectfully submitted that in Engelhardt the detector 17 is disposed in the beam path of the illuminating light 5 that has been split from light 1, rather than being arranged in the beam path of “non-coupled-in light 15.” See Engelhardt, paragraph 0044 and Fig. 3. Thus, the detector 17 of Engelhardt is not arranged in a beam path of the monitoring light, as recited in claim 8. Because Engelhardt is missing at least this feature of claim 8, it is respectfully submitted that Engelhardt cannot anticipate claim 8.

CONCLUSION

It is respectfully submitted that the application is now in condition for allowance.

Respectfully submitted,

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